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 Last modified: Monday, December 08, 2008



**DELAINE EASTIN**  
 State Superintendent of Public Instruction



April 27, 2000

### SFPD Advisory 00-05

To: County and District Superintendents

Subject: Update on Proposed School Sites and Airports (Assembly Bill 747)

Assembly Bill (AB) 747 (Chapter 837, Statutes of 1999) amended *Education Code* Section 17215 and now makes the California Department of Education (CDE) the initial contact for districts requesting the evaluation of a school site within two miles of an existing or proposed airport runway. Upon receiving the appropriate maps listed below, CDE will contact the Department of Transportation Aeronautics Program to initiate their review of the proposed site. Districts considering such sites should contact their CDE School Facilities Planning Division, (SFPD) Field Representative.

Before the Department of Transportation Aeronautics Program will evaluate the proposed site, the district must provide the School Facilities Planning Division with the following maps:

- A dated vicinity map of architectural or cartographic quality (which is drawn to a scale of **1" = 1,000'**, **1" = 2,000'**, or **1" = 3,000'** and can be measured by an engineer's scale shown in the legend) **clearly** depicting the proposed site's boundaries and the airport's runway(s);
- A separate dated schematic that **clearly** depicts the layout and boundaries of the proposed facility (drawn to the same standards as the vicinity map with a recommended scale of **1" = 500'**) delineating all existing and proposed property boundaries and/or streets;
- Maps containing multiple site locations should have individual names or numbers assigned to **each** individual proposed school site.

The School Facilities Planning Division will, within ten days, submit the maps provided by the school district to the Department of Transportation (Caltrans). California *Education Code* Section 17215 (c-f) states:

(c) "The Department of Transportation shall investigate the proposed site and, within 30 working days after receipt of the notice, shall submit to the State Department of Education a written report of its findings including recommendations concerning acquisition of the site. As part of the investigation, the Department of Transportation shall give notice thereof to the owner and operator of the airport who shall be granted the opportunity to comment upon the proposed school site. The Department of Transportation shall adopt regulations setting forth the criteria by which a proposed site will be evaluated pursuant to this section.

(d) The State Department of Education shall, within ten days of receiving the Department of Transportation's report, forward the report to the governing board of the school district. The governing board may not acquire title to the property until the report of the Department of Transportation has been received. If the report does not favor the acquisition of the property for a school site or an addition to a present school site, the governing board may not acquire title to the property. If the report does favor the acquisition of the property for a school site or an addition to a present school site, the governing board shall hold a public hearing on the matter prior to acquiring the site.

(e) If the Department of Transportation's recommendation does not favor acquisition of a proposed site, state funds or local funds may not be apportioned or expended for the acquisition of that site, construction of any school building on that site, or for the expansion of any existing site to include that site.

(f) This section does not apply to sites acquired prior to January 1, 1966, nor to any additions or extensions to those sites."

For additional information, please contact the SFPD consultant assigned to your county. See the School Facilities Web page [<http://www.cde.ca.gov/ls/fa/sf/fieldstaff.asp>] for a listing of county assignments.

Sincerely,

Duwayne Brooks, Director  
School Facilities Planning Division  
Assistant Superintendent of Public Instruction

DB:cjd